IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 5163 of 2005

Between:

S. Sudhakar, S/o. S. Subba Rao, Asst. Executive Engineer,
Telugu Ganga Project, Nandyal, Kurnool District.

..... PETITIONER

AND

1 Engineer-in-Chief (Admn. Wing), Irrigation and CAD Department, Hyderabad.
2 State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Irrigation & CAD Department, Secretariat, Hyderabad.
3 Andhra Pradesh Public Service Commission, Rep. by its Secretary, Gruhakalpa, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more in the nature of Writ of Certiorari calling for the records relating to order of the Hon'ble A.P. Administrative Tribunal dt. 2-2-2005 in O.A.No. 6899 of 2004 and quash the same and further direct the respondents to consider the case of the petitioner for promotion to the post of Deputy Executive Engineer basing on the Merit and ranking assigned by the APPSC with all consequential benefits.

Counsel for the Petitioner: MR.J.R.MANOHAR RAO

Counsel for the Respondent Nos.1 & 2: GP FOR SERVICES-II.

Counsel for the Respondent No.3: MR.M.VIJAY KUMAR, SC FOR APPSC.

The Court at the stage of admission made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed challenging the interim order, dated 02.02.2005, passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No.6899 of 2004.

2. The matter relates to fixation of proper seniority and consequential promotion to the higher post. The grievance of the petitioner is that the Tribunal ought not to have granted such an interim relief, which will not advance the case of the petitioner in any manner, and therefore, the Tribunal ought to have fixed the seniority according to Rule 33(b) of A.P. State and Subordinate Service Rules and appropriate orders should be passed.

3. We have heard the learned Government Pleader also.

4. We are not inclined to interfere with the interim order already passed by the Tribunal. However, we find it appropriate to dispose of the matter by one way or the other.

5. Accordingly, the Writ Petition is disposed of directing the Tribunal to dispose of the O.A. within a period of four months.

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G. BIKSHAPATHY, J

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P.S. NARAYANA, J

Date: 15.03.2005

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To

1 Engineer-in-Chief (Admn. Wing), Irrigation and CAD Department, Hyderabad.
2 The Principal Secretary to Government, State of Andhra Pradesh, Irrigation and CAD Department, Secretariat, Hyderabad.
3 The Secretary, Andhra Pradesh Public Service Commission, Gruhakalpa, Hyderabad.

4 The Registrar, A.P. Administrative Tribunal, Hyderabad.

5 2 CCs to the G.P. for Services-II, High Court of A.P., Hyderabad (OUT).

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